

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA)	
)	
v.)	1:12-cr-3
)	
ANDRUS NOMM,)	
)	
Defendant.)	

FINAL ORDER OF CRIMINAL FORFEITURE

WHEREAS, on February 13, 2015, the defendant, Andrus Nomm, pled guilty to Count Two of the Superseding Indictment charging the defendant with conspiracy to commit copyright infringement, in violation of Title 18, United States Code, Section 371, a serious offense punishable by imprisonment of more than 24 months under the laws of the United States of America;

WHEREAS, on February 13, 2015, this Court entered a Consent Order of Forfeiture in which the defendant agreed to the entry of a money judgment against him in the amount of \$175 million and to the forfeiture of all copyright infringement-related assets that are traceable to, derived from, fungible with or a substitute for property that constitutes the proceeds of the offense, or facilitating property or property involved in the offense, including but not limited to all funds in the Hongkong and Shanghai Banking Corporation Limited (HSBC) account number 083763078833, held in the name of Andrus Nomm (Dkt.#206);

WHEREAS, the United States published on an official government Internet forfeiture website, www.forfeiture.gov, for thirty (30) consecutive days, beginning on February 20, 2015, and ending on March 21, 2015, as required by Rule 32.2(b)(6) of the Federal Rules of Criminal

Procedure, notice of this forfeiture action and the intent of the United States to dispose of the funds in the Hongkong and Shanghai Banking Corporation Limited (HSBC) account number 083763078833, held in the name of Andrus Nomm, in accordance with the law and as specified in the Consent Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their legal interest in the funds in the aforementioned bank account (Dkt.#212);

WHEREAS, the publication obligation as to property located outside the United States is satisfied by publication on the official government Internet forfeiture website, www.forfeiture.gov, for thirty (30) consecutive days, in accordance with 21 U.S.C. § 853(n)(1) and Rule 32.2(b)(6)(C) of the Federal Rules of Criminal Procedure, which incorporates Supplemental Rule G(4)(a)(iv)(C) of the Federal Rules of Civil Procedure;

WHEREAS, direct notice by the United States was not required, pursuant to Rule 32.2(b)(6)(A) of the Federal Rules of Criminal Procedure, which incorporates Supplemental Rule G(4)(b)(i) of the Federal Rules of Civil Procedure, given that the defendant consented to the forfeiture of all funds in the aforementioned bank account and no other person reasonably appeared to be a potential claimant on the facts known to the government;

WHEREAS, no petitions asserting an interest in the forfeited funds in the aforementioned bank account have been filed and the time for doing so has expired;


Now deeming it proper to do so, the Court having considered the United States' motion for the entry of a Final Order of Criminal Forfeiture, herein GRANTS the motion for a Final Order of Criminal Forfeiture, pursuant to Rule 32.2(c)(2) of the Federal Rules of Criminal Procedure, and declares that all funds in the Hongkong and Shanghai Banking Corporation Limited (HSBC) account number 083763078833, held in the name of Andrus Nomm, are forfeited to the United States pursuant to 18 U.S.C. § 981(a)(1)(C), 18 U.S.C. § 2323(a) & (b), 28 U.S.C. § 2461(c), and 21 U.S.C. § 853(p).

All right, title and interest in the funds in the Hongkong and Shanghai Banking Corporation Limited (HSBC) account number 083763078833, held in the name of Andrus Nomm, are now vested exclusively in the United States.

The United States may take all steps necessary to seize the funds in the Hongkong and Shanghai Banking Corporation Limited (HSBC) account number 083763078833, held in the name of Andrus Nomm, and shall dispose of the funds according to law.

It is so ORDERED.

July 7, 2015
June __, 2015
Alexandria, Virginia

 /s/

Liam O'Grady
United States District Judge